

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: STEPHANIE VALKOVIC, ASSOCIATE REAL PROPERTY AGENT
REAL ESTATE SERVICES
SUBJECT: MERGER OF TWO PARCELS COMPRISING CITY OWNED
PROPERTY AT 3499 IDAHO DRIVE AND RELATED SUMMARY
VACATION OF PORTIONS OF IDAHO DRIVE RIGHT OF WAY
AND PUBLIC SERVICE EASEMENTS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Water Department and Real Estate Services that the Council, by two separate resolutions: 1) approve the merger of two parcels comprising City owned property APN 013-211-025 (Carley Drive Well Site); 2) approve the lot line adjustment between APNS 013-211-025 and 013-211-014; 3) approve the summary vacation of: (A) approximately 1,793 square feet of the Idaho Drive public right-of-way (with reservation of a 293 square foot public utility easement); (B) two (2) 100 square foot public utility easements; and (C) a 64 square foot portion of sidewalk easement; and 4) authorize the Assistant City Manager to execute necessary documents, in order to revise the right of way and lot lines shown on the subdivision map recorded May 26, 1954 in Maps, Book 70 Pages 14 and 15, Tract No. 173 Montgomery Village Subdivision No. 15 to more accurately reflect the location of the right of way and lot lines in relationship to the existing physical improvements.

EXECUTIVE SUMMARY

As part of the survey work being done for the Carley Drive Well Rehabilitation Project, it was discovered that the physical improvements in Tract No. 173 Montgomery Village Subdivision No. 15 do not align with the right of way and lot lines shown on the subdivision map for the neighborhood. In order to address this, the Water Department and Real Estate Services seek Council approval of the merger of the two parcels comprising City owned property APN 013-211-025, followed by a lot line adjustment of APNS 013-211-025 and 013-211-014 and summary vacation of portions of the existing right of way and extraneous public service easements not being used for those purposes.

BACKGROUND

The Real Estate Services Division and the Transportation and Public Works Survey Team have researched and provided the following history for the Idaho Drive right-of-way:

The subject right-of-way was recorded May 26, 1954, in Maps, Book 70 Pages 14 and 15 ("Map"), Tract No. 173 Montgomery Village Subdivision No. 15 ("Subdivision"). Coddling Homes and Montgomery Village Development Company conveyed the parcels now comprising APN 013-211-025 (the Carley Drive Well site) to City in July 1954 and June 1961 respectively. The subdivision map was approved by the County before the Subdivision, roadway and surrounding area were annexed into the City in 1955, approximately the same year that the homes on Idaho Drive were constructed. It was not until surveying was done in the latter half of 2020 as part of the Carley Drive Well Rehabilitation Project that it was discovered that the right of way and lot lines shown on the Map do not agree with the existing physical improvements in the Subdivision and that the house located at APN 013-211-014 encroaches into the exaggerated right of way bulb shown on the Map and that the same house straddles the property line of City owned parcel APN 013-211-025.

A Public Utility Easement (PUE) will be reserved in favor of the City for the utilities, i.e., PG&E, AT&T and Comcast, that are currently existing in the right of way. The remaining public utility easements or portion of easements to be vacated are not used for these purposes.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

Vacation procedures are established by the California Public Streets, Highways, and Service Easements Vacation Law, which is implemented through the California Streets and Highways Code (Code). Pursuant to Section 8334 of the Code, City may summarily vacate excess right-of-way of a street not required for street purposes. This portion of Idaho Drive right of way has never been physically used for this purpose, is excess right of way not required for street purposes, has been impassable for five consecutive years and no public money has been expended for its maintenance during that period. Public utilities that currently exist in the right of way will be maintained through the reservation of a public utility easement.

Pursuant to Section 8333 of the Code, City may also summarily vacate a public easement which has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation. The easements being vacated have no public facilities located within them and are not being

used for these purposes. In order to avoid them being easement islands following the vacation of public right of way it is recommended that they also be vacated.

Attachment One attached hereto depicts the proposed merger, lot line adjustment, right of way and easement vacations which will update the Map to more accurately show the layout of the neighborhood, address the existing encroachments, and clean up the legal descriptions for the affected properties. This will also help facilitate the City's use of the City owned property at APN 013-211-025 for the Carley Drive Well Rehabilitation Project.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General or Enterprise Funds.

ENVIRONMENTAL IMPACT

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable for this project.

NOTIFICATION

No public notice is required for the proposed right-of-way and easement vacations.

ATTACHMENTS

- Attachment 1- Merger/Lot Line Adjustment/Right of Way – Easement Vacation Exhibit
- Resolution 1 Merger/Lot Line Adjustment
 - Exhibit A to Resolution 1 – Exhibits A and B Legal Description & Depiction – Parcels to be Merged
 - Exhibit B to Resolution 1 – Exhibits A and B Legal Description & Depiction – Lot Line Adjustment
- Resolution 2 -Summary Vacations
 - Exhibit A to Resolution 2 – Exhibits A, B, and C-Legal Description and Depiction Right of Way Vacation of Idaho Drive (Portion) and Reservation of Public Utility Easement
 - Exhibit B to Resolution 2 - Exhibits A and B- Legal Description and Depiction- Vacation of Public Utility Easements
 - Exhibit C to Resolution 2 - Exhibits A and B- Legal Description and Depiction- Vacation of Existing Sidewalk Easement (Portion)

CONTACT

Stephanie Valkovic, Associate Real Property Agent
(707) 543-4593, svalkovic@srcity.org

Jill Scott, Real Estate Manager
(707) 543-4246, jscott@srcity.org